

**ARKANSAS PROFESSIONAL BAIL BOND COMPANY AND PROFESSIONAL
BAIL BONDSMAN LICENSING BOARD
January 9, 2004**

Chairman Don Smith called the meeting to order at 9:01 a.m.

Roll call was taken and the following members were present: Don Smith, Frank Sturgeon, Eugene Reynolds, Xollie Duncan and Phyllis Carruth. Marc Oudin and Rex Morris were absent. Also present were Assistant Attorney General Alice Lightle, Executive Director, Linda Longstreth, Board staff and members of the audience.

Following a review of the Board Minutes for December 12, 2003. Sturgeon moved to approve. Duncan seconded. Motion carried.

OLD BUSINESS

License Approvals:

Three (3) non-controversial license applications were submitted for Board approval. Sturgeon moved to approve the license applications as presented. Reynolds seconded. Motion carried.

Controversial License/Mark E. Luckett

Mark Luckett was presented to the Board as a controversial applicant due to a domestic battering charge. He explained that the charge stemmed from a disagreement between him and his brother over money. His brother filed charges which were later dismissed by him. Sturgeon moved to approve the license. Reynolds seconded. Motion carried.

Controversial License/Clifford Byron Cage

Mr. Byron Cage was presented to the Board at the request of his legal counsel, Richard Hutto, who indicated that the issues between Mr. Cage and Mr. Reynolds, which deferred Mr. Cage's license in November and December 2003, had been resolved. After substantial discussion and a determination that the issues between Mr. Reynolds and Mr. Cage have not been resolved, Sturgeon moved to deny the bail bondsman license of Clifford Byron Cage. Carruth seconded. Motion carried.

Forfeitures:

The Forfeiture Report was provided for the Board's information. Longstreth requested that the Board vote to suspend the bail bond company license of those companies listed with forfeitures due and payable between January 9, 2004 and February 13, 2004. Sturgeon moved to suspend the bail bond company license of any company with forfeitures due and payable between January 9, 2004 and February 13, 2004, if the company fails to pay by close of business on the day the forfeiture is due. Carruth seconded. Motion carried.

NEW BUSINESS

December Vouchers Paid:

Longstreth presented the December vouchers paid and offered to respond to questions. There being none, the Board proceeded.

Statement of Financial Interest:

A copy of The Statement of Financial Interest required to be completed by Board Members was included in the Board packet and members advised that they would need to file same with the Arkansas Secretary of State's Office by January 31, 2004.

Board Stipend/Travel Reimbursement Vote:

The Board was reminded that they are required to vote to continue both the Stipend and the Travel Reimbursement every January.

Sturgeon moved to continue the Board stipend for calendar year 2004. Reynolds seconded. Motion carried

Sturgeon moved to continue the travel reimbursement for calendar year 2004. Reynolds seconded. Motion carried.

New Company Application:

A new company application for Lockhart Bail Bonding, Inc. was presented and the Board advised that Mr. Lockhart has charges pending from 3/6/02. Ms. Longstreth informed the Board that according to records at the courthouse, all the charges were dropped except charge 3-Battery II, a felony, and that a trial on the charge is scheduled for the first week in February. Mr. Chris Lockhart was present with counsel, Mr. Louis Lim. They came forward and introduced themselves. Mr. Lim presented substantial information concerning the charges pending against Mr. Lockhart and asked the Board to take fifteen (15) minutes to read the first fourteen (14) pages of a motion filed in Mr. Lockhart's case. The Board complied. Mr. Lim proceeded to update the Board concerning the history of Mr. Lockhart's case. Judge Xollie Duncan expressed concern about the Board deciding to license Mr. Lockhart while a felony charge, which is scheduled to go to trial in February, is pending. In addition, the proposed Letter of Credit for Mr. Lockhart is being submitted by ARVEST Bank. Judge Duncan expressed her concern about accepting the Letter of Credit from ARVEST Bank because of past problems with them. The Board advised Mr. Lockhart to submit his information for his personal license, secure a Letter of Credit from a bank other than ARVEST Bank and to dispense with the charges pending against him. At that time, the Board is to reconsider the license application.

Temporary Order:

The Temporary Order from Circuit Judge Barry Sims was included in the Board packet for its information. The Board declined to issue a bail bondsman license to James Houston, owner of J & J Bonding, Inc. prior to a formal hearing before the Board. Mr. Houston's legal counsel appealed the Board's declination to Pulaski County Circuit Court and Judge Sims issued a Temporary Order requiring that the Board office license and renew Mr. James Houston's bail bondsman license with First Arkansas Bail Bonds, Inc.

Longstreth explained that Judge Sims has also issued a Temporary Order on a forfeiture judgment suspension for Arvis Harper Bail Bonds, Inc., which required that the suspension be lifted and Arvis Harper be reinstated.

The Board asked Alice Lightle, Assistant Attorney General, to object to both Temporary Orders and to continue to contact the Judge's office every week in an attempt to resolve the temporary orders. It was also determined that the Board letter refusing a license will be reworded to avoid the inference that a final Board decision has been made until a formal hearing is held and the administrative process completed.

Public Comments:

Chairman Smith asked for Public Comments. There being none the meeting was adjourned.

Submitted for approval:

This 13th day of February, 2004 _____
Chairman